



#5  
PATENT

Attorney Docket No. 2710

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

MARTINSEN et al.

Serial No. 09/677,445

Group Art Unit: 2183

Examiner: Not Assigned

Filed: September 29, 2000

For: Method for Synchronously Binding an External Behavior  
to a Web Page Element

RECEIVED

JUN 21 2001

PETITION UNDER 37 C.F.R. 1.47(a)

OFFICE OF PETITIONS

Assistant Commissioner for Patents  
Washington, D.C. 20231

The undersigned, on behalf of the Applicants, hereby petitions under 37 C.F.R. 1.47(a) to include the inventor Dave Cox, who could not be reached for signature, in the application filed on September 29, 2000. The undersigned has made a diligent effort to locate inventor Dave Cox as is evidenced in the attached Statement of Facts required under 37 C.F.R. 1.47(a).

A Petition fee in the amount of \$130.00 is included with the Response to Notice to File Missing Parts filed concurrently herewith. The Patent Office is hereby authorized to charge any additional fees associated with this submission to Deposit Account 50-1618.

Respectfully submitted,

Roger D. Wylie, Reg. No. 36,395  
One of the Attorneys for Applicants  
Michalik & Wylie, PLLC  
14645 Bel-Red Road, Ste 103  
Bellevue, Washington 98007  
(425) 653-3520 (telephone)  
(425) 653-3603 (facsimile)

05/23/2001 DTESSM1 00000078 501618 09677445

07 FC:122 130.00 CH

Adjustment date: 07/30/2001 LGIBBS  
05/23/2001 DTESSM1 00000078 501618 09677445  
07 FC:122 130.00 CR



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**STATEMENT OF FACTS**

- 1) Inventor Dave Cox is no longer employed with the Assignee of the present invention, Microsoft Corporation.
- 2) On April 13, 2001, a letter was mailed by Express Mail to the last known address of Dave Cox, 16549 NE 36<sup>th</sup> Ct., Apt. NN204, Redmond, WA 98052. A copy of the Express Mail envelope indicating that the documents were mailed and were returned because the addressee had moved and left no forwarding address, is attached as Exhibit A.
- 3) On numerous occasions from March 27, 2001 to April 11, 2001, telephone messages were left at telephone number 425-868-6429 for "Dave Cox" in Redmond, Washington regarding the subject application. On April 11, 2001, "Dave Cox" returned the call, and indicated that he knew nothing of the subject application, and that he was not the person named therein.
- 4) On May 15, 2001, a call was made to telephone number 425-861-1033 for "David Cox" in Redmond, Washington. The number had been disconnected.
- 5) The phone numbers for both "Dave Cox" and "David Cox" in Redmond, Washington were obtained through MSN.com's White Pages directory. Copies of the directory pages are attached as Exhibits B and C, respectively.
- 6) Attempts were made to locate more current contact information for Dave Cox by Microsoft employee, Sindie Chang. An email, attached as Exhibit D, indicates that attempts by Microsoft Corporation to locate Dave Cox via his former colleagues, was unsuccessful.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Date: 5/18/2001

Sherie L. Dodson  
Sherie L. Dodson

Date: 5/18/2001

Roger D. Wylie  
Roger D. Wylie

BEST AVAILABLE COPY

inquiries call 1-425-936-2910

Microsoft Corp.  
Kris Markel  
22626 NE Inglewood  
H APT 522  
Redmond, WA 98053

AIRBORNE EXPRESS  
ROUTE SERVICE  
KIRH 1X FTH NAS



4667 538 890

\*01075200118112 EMAIL:sindie  
\*0420053 WGT: 1  
\*(425) 898-07 JOB #:

DATE: 02/27  
BOX 1 OF 1

(Label: F\_ARBPMS Rev #JR120400 Station # 2)

113 1156  
Room Build  
LCTN

To: Sindie E. Chang  
Phone: +1(425)936-8818  
Priority: Normal



TAG PRINTED  
SHIPMENT NAME: Default Shipment  
PROCESSOR: DSTPHETUS  
3/5/2001 11:57:34 AM PACKAGE  
-1483225

**AIRBORNE EXPRESS**

Dear Airborne Customer, We're sorry for the delay. We tried to deliver your package but were unable to because:

☐ Delivery location closed. ☐ Signature Required/No one to accept. ☐ CO Shipment Payment not ready.

☐ Residence delivery/No secure area to ☐ Incorrect address/zip. Please notify sender to correct address.

☐ Other

**Redelivery Information:**

☐ Original Address Confirmed

ATTEMPT DATE: 02/27 REDELIVER DATE: 03/01 ☐ LMT ☐ MSA2 ☐ MSAD

Notes: email can

**DR: Microsoft**

**Para recolección o localización, llame al 1-800-222-1811**

**RECIPIENT**

**The sender has requested notification upon delivery.  
Immediately upon receipt, please telephone:**

Name: \_\_\_\_\_

Tel. No.: ( )

**DESTINATARIO**

**Michael & Wylie, P**  
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Suite 103  
Bellevue, WA 9800

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PO ZIP Code 98199	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second		Flat Rate Envelope
Date In May 14 2011	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 16. <sup>00</sup>	
M.O. Time In 16:53	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	
Weight <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Int'l Alpha Country Code	COD Fee	Insurance Fee
lbs. 15.0	Acceptance Clerk Initials DNL	Total Postage & Fees \$ 16.00	
No Delivery	<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		

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<b>METHOD OF PAYMENT:</b>	
<input type="checkbox"/> Express Mail Corporate Acct. No.	<input type="checkbox"/> Federal Agency Acct. No. or Special System Acct. No.

**FROM:** (PLEASE PRINT)

PHONE

425,653.3520

MICHALIK & WYLLIE, PLLC  
14645 BEL-RED ROAD  
SUITE 103  
BELLEVUE, WA 98007

917

## ORIGIN (POSTAL USE ONLY):


Delivery Attempt	Mo.	Day	Time	Employee Signature
5/15/01			11:00 AM	Sanchez
Delivery Attempt	Mo.	Day	Time	Employee Signature
Delivery Date	Mo.	Day	Time	Employee Signature
Mo.	Day	Time	Signature of Addressee or Agent	
X			Name - Please Print	
X				

☐ **WAIVER OF SIGNATURE**

☐ MOVED, LEFT NO ADDRESS  
☒ NOT DELIVERABLE AS ADDRESS  
UNABLE TO FORWARD  
☐ UNCLAIMED ☐ REFUSED  
☐ UNCLAIMED ☐ NO SUCH STREET  
☐ NO SUCH NUMBER  
☐ INSUFFICIENT ADDRESS

**and if waiver of signature is requested.**

**UNITED STATES  
POSTAL SERVICE**

 RETURNED TO SENDER ☐ NO SUCH NUMBER ☐ NO SUCH ADDRESS ☐ INSUFFICIENT ADDRESS ☐

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22624 NE INGLESWOOD  
H1 APT. 522  
REDMOND, WA 98053~~

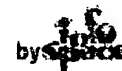
**BRESS HARN**

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First Name Last Name [Click here to find K Markel.](#)

## White Pages Search Results



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### 'Add To Outlook' Help

Sorry, no matches were found.

- ▶ [Add your listing to the White Pages](#)
- ▶ [Search for public records on US SEARCH.com](#)
- ▶ [Find old High School friends](#)

### Refine Your Search

Last Name First Name/Initial City State/Province  
(required for US and Canada) ☐ Including Surrounding Region (U.S. Only)Country  
(required) 

**Note:** To search a country not listed above, see our list of [World Directories](#).

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Credit Report

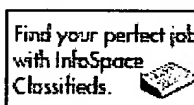
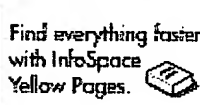
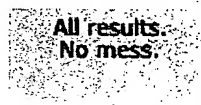
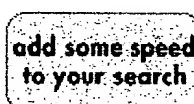


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[Government](#)

data by **ACTION**

Protected by One or More of the Following Patents: U.S. Patent No. 6,016,504. Other Patents Pending.

[White Pages Home](#) [Reverse Number Lookup](#) [Email Search](#) [Yellow Pages](#)

### Other Links:

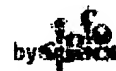
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### Special Features:

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[MSN Home](#) [Hotmail](#) [Web Search](#) [Shopping](#) [Money](#) [People & Chat](#)First Name Last Name [Click here to find Dave Cox.](#)

## White Pages Search Results

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### 'Add To Outlook' Help

Result 1 of 3 [\[previous\]](#) [\[next\]](#) [\[list\]](#)[update/remove](#) | [add listing](#)

Dave Cox



Redmond, WA 98052

Phone: 425-868-6429

[1-Click Sync](#)  
to my contacts

### More for Dave Cox:

• [Map](#) • [Email Search](#) •• [Dave Cox is in our Database! Click Here](#)• [Find Dave Cox at ClassMates.com](#)

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Last Name First  
Name/Initial City State/Province  
(required for US  
and Canada) ☐ Including Surrounding Region (U.S. Only)Country  
(required)

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First Name Last Name [Click here to find David Cox.](#)


## White Pages Search Results



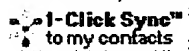
[White Pages Home](#) [Reverse Number Lookup](#) [Email Search](#) [Yellow Pages](#)

### 'Add To Outlook' Help

Result 2 of 3 [\[previous\]](#) [\[next\]](#) [\[list\]](#)[update/remove](#) | [add listing](#)

**David Cox**   
 7435 159th PI NE  
 Redmond, WA 98052

Phone: 425-861-1033



### More for David Cox:

• [Map](#) • [Directions](#) • [Email Search](#) • [Find Neighbors](#) •

• [David Cox is in our Database! Click Here](#)  
 • [Find David Cox at ClassMates.com](#)

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### Refine Your Search

Last Name First Name/Initial City State/Province  
(required for US and Canada) ☐ Including Surrounding Region (U.S. Only)

Country

**Sherie Dodson (Praesidium Legis)**

---

**From:** Sindie Chang (LCA)  
**Sent:** Wednesday, April 11, 2001 4:37 PM  
**To:** Sherie Dodson (Praesidium Legis)  
**Cc:** Melissa Whitmore (LCA); Roger Wylie (Michalik & Wylie PLLC); Sindie Chang (LCA)  
**Subject:** RE: Formal Papers in MS 155510.1, M&W 2710

Yes, we have checked with their co-inventors and they do not know how we can get a hold of them.

-----Original Message-----

**From:** Sherie Dodson (Praesidium Legis)  
**Sent:** Wednesday, April 11, 2001 4:24 PM  
**To:** Sindie Chang (LCA)  
**Cc:** Melissa Whitmore (LCA); Roger Wylie (Michalik & Wylie)  
**Subject:** RE: Formal Papers in MS 155510.1, M&W 2710

Sindie,

Have you folks attempted to get email addresses/phone numbers from co-workers who knew Kris Markel &/or Dave Cox? Perhaps their co-inventors, or other dev group members may still be in contact with them, or know where they went after leaving Microsoft? Any additional information you can provide would be helpful.

Thanks for your input,

Sherie  
 for MICHALIK & WYLIE

-----Original Message-----

**From:** Sindie Chang (LCA)  
**Sent:** Friday, April 06, 2001 1:12 PM  
**To:** Sherie Dodson (Praesidium Legis)  
**Cc:** Melissa Whitmore (LCA); Sindie Chang (LCA); Roger Wylie (Michalik & Wylie)  
**Subject:** RE: Formal Papers in MS 155510.1, M&W 2710

Hi Sherie,

Today I am sending you the express mail enveloped that was returned to me on March 5, 2001. Please let me know if you do not receive it by Monday afternoon on April 9, 2001.

Thank you,  
 Sindie

-----Original Message-----

**From:** Sherie Dodson (Praesidium Legis)  
**Sent:** Friday, April 06, 2001 10:23 AM  
**To:** Sindie Chang (LCA)  
**Cc:** Patent Group Docketing Dept.; Melissa Whitmore (LCA); Roger Wylie (Michalik & Wylie); Sherie Dodson (Praesidium Legis)  
**Subject:** RE: Formal Papers in MS 155510.1, M&W 2710

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Time

Mo. Day Year

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Delivery Attempt

Time

☐ AM ☒ PM

11:11

Delivery Date

Time

☐ AM ☒ PM

11:11

Delivery Date

Time

☐ AM ☒ PM

11:11

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☐ AM ☒ PM

11:11

Delivery Date

Time

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Delivery Date

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☐ AM ☒ PM

11:11

Signature

10/11/01

10/11/01

Customer Signature

**TO: (PLEASE PRINT)**

PHONE

DAVE COX

16549 NE 36th Ct.

APT. N1204

REDMOND, WA 98052

ZIP + 4

9

8

0

5

**Mailing Label**  
Label 11-B August 2000

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ETIQUETA DE CUENTA CORPORATIVA  
USO NACIONAL ÚNICAMENTE**

**UNITED STATES  
POSTAL SERVICE**

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APR 13 '01  
AMOUNT  
\$16.00  
00039633-0